

REMARKS

Claims 32-45 are pending in this application, with Claims 1-31 cancelled, Claims 32-38 amended, and Claims 39-45 being added as new. The Applicant respectfully requests reconsideration and review of the application in view of the amendments and the following remarks.

Before addressing the merits of the rejections based on prior art, Applicant provides the following brief description of the invention. The claimed invention relates to a method and system for distributed image processing. In one embodiment of the present invention, the method comprises receiving (e.g., at a host site) both image data and image related data regarding user images from a user computer, ***wherein the image data is pre-processed or manipulated by a user with the user computer.*** The image related data generally includes an image description, an image capture date, and/or an image price. The method further comprises receiving an image request for a subset of the user images from a customer computer, and ***adding a JPEG header to the stored image data for each of the requested user images to generate modified image data for each of the requested user images.***

In another embodiment of the present invention, the host site is adapted to receive, store and provided to a customer image data that is in a ***relatively low resolution format*** (e.g., thumbnail format, etc.). The host site is further adapted to receive an image order from the customer, ***wherein the image order identifies at least one image that the customer would like to purchase.*** The host site is then adapted to request and receive the at least one identified image from the user computer in a ***relatively high resolution format***, so that it can be provided to a remote device (e.g., the customer computer, an image laboratory, etc.). By initially receiving, storing and transmitting low resolution images, the host site can preserve (or reduce) bandwidth and storage capacity. Such an embodiment also allows the customer to view requested images quickly, without sacrificing image quality (since a high resolution format is used on images ordered).

The Examiner rejected Claims 32-38 under 35 U.S.C. § 103(a) as being unpatentable over Manolis et al. (U.S. Pat. No. 6,583,799) in view of Miller et al. (U.S. Pub. No. 2002/0181012). The Applicant respectfully traverses these rejections.

Manolis et al. ("Manolis") and Miller et al. ("Miller") are directed toward methods for processing digital pictures for a user, or for a photographer. For example, Manolis provides a method for printing digital pictures that involves (1) launching a viewer, (2) dragging thumbnails of pictures to be printed into a defined area of the viewer, (3) uploading the pictures to a server, and (4) requesting that the pictures be printed. See, e.g., col. 2, ll. 4-65 and Fig. 3. Similarly, Miller provides a method for enhancing digital pictures by uploading digital pictures to a server together with "customer preference parameters." See, e.g., Para. 0004. The "customer preference parameters" can be used, for example, to identify a particular editor, enhancement or caption. See, e.g., Para. 0020.

In contradistinction, the present invention is not directed toward a method for ***processing digital pictures for a user, or for a photographer*** (i.e., the Manolis method), but toward a method for ***purchasing images from a user, or from a photograph*** (i.e., the present invention). This is important because in the Manolis method, each and every picture that is to be printed is uploaded to the server in a high resolution format, which could take some time. This is why Manolis states that "the user may start the upload and forget that the upload process is running ***due to the time required to upload multi-megabyte image files.***" Col. 8, ll. 32-43 (emphasis added). In the present invention, however, only images that are purchased by a customer are uploaded to a host site in a high resolution format. As discussed above, the images are first uploaded to the host site in a low resolution format, which is sufficient for the customer to view the images. Once the customer identifies an image that he/she would like to purchase, the customer places an image order, and the corresponding image is received from the user's (e.g., photographer's) computer in a high resolution format. Such a method is advantageous for the host site in that it reduces needed bandwidth and storage capacity.


Because Minolis is not selling images to customers on a host site, but instead processing pictures for a user, Minolis does not disclose (1) receiving image data and image related data from a user computer, ***wherein the image data is in a low resolution format and the image related data includes (in part) an image price***, (2) receiving an image request for at least a subset of the user images from a customer computer, (3) transmitting image data and image related data for the requested user images to the customer computer, (4) ***receiving an image order from the customer computer, where the image order identifies a particular image***, (5) ***receiving the particular image from the user computer in a relatively high resolution format***, and (6) ***transmitting the particular image in the relatively high resolution format to an image laboratory (e.g., for printing)***. See Claim 32. Miller also does not disclose the reception of “an image price,” the reception of “an image order” from the customer computer, or the reception of the images identified in the image order in a “relatively high resolution format” from the user computer, so that it can be sent to the image laboratory. Therefore, the rejection of independent Claim 32, and the rejections of independent Claims 33 and 37, which include similar limitations, should be withdrawn. Further, the rejections of Claims 34-36 and 38, which depend from the aforementioned independent claims, should also be withdrawn.

In view of the foregoing, the Applicant respectfully submits that Claims 32-45 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. To the extent it would be helpful to placing this application in condition for allowance, the Applicant encourages the Examiner to contact the undersigned counsel and conduct a telephonic interview.

To the extent necessary, Applicant petition the Commissioner for a three-month extension of time, extending to July 31, 2008, the period for response to the Office Action dated January 31, 2008. The Commissioner is authorized to charge \$930 for the three-month extension of time, pursuant to 37 C.F.R. § 1.17(a)(3) (\$525), and the Request for Continued Examination (RCE), pursuant to 37 C.F.R. § 1.17(e) (\$405), and any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,

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